

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

FAIRFIELD SENTRY LIMITED, et al.,

Debtor in Foreign
Proceedings.

Chapter 15 Case

Case No. 10-13164 (CGM)

Jointly Administered

FAIRFIELD SENTRY LTD. (IN LIQUIDA-
TION), et al.,

Plaintiffs,

v.

BGL BNP PARIBAS SA, et al.,

Defendants.

Adv. Pro. No. 10-03626 (CGM)

THIRD AMENDED SCHEDULING ORDER
ON PERSONAL JURISDICTION BRIEFING AND SUBSEQUENT DISCOVERY

WHEREAS, on September 28, 2021, the Court entered a scheduling order for briefing motions to dismiss for lack of personal jurisdiction (“PJ Motions”);

WHEREAS, on January 14, 2022, the Court amended that scheduling order to facilitate the parties’ continued negotiations over jurisdictional discovery;

WHEREAS, the parties stipulated to the Second Amended Scheduling Order on Personal Jurisdiction Briefing and Subsequent Discovery, so-ordered by the Court on July 27, 2022, at ECF No. 143 (the “Second Amended Scheduling Order”);

WHEREAS, the Second Amended Scheduling Order extended the Liquidators’ deadline to file briefs in opposition to the PJ Motion of BGL BNP Paribas S.A. (*f/k/a* BNP Paribas Luxembourg SA) (“BGL BNP”) to March 31, 2023;

WHEREAS, the Liquidators filed a motion for sanctions against BGL BNP;

WHEREAS, on March 15, 2023, the Court granted that motion for sanctions;

WHEREAS, the Liquidators require additional time to prepare their response to BGL BNP's PJ Motion in light of the Court's ruling;

WHEREAS, pursuant to the Second Amended Scheduling Order, the Liquidators must provide 30-days' notice to BGL BNP should the Liquidators choose to file their opposition to BGL BNP's PJ Motion prior to March 31, 2023;

WHEREAS, pursuant to the Second Amended Scheduling Order, BGL BNP must file its reply in further support of its PJ Motion within 90 days of service of an opposition; and

WHEREAS, BGL BNP does not oppose an extension to the deadline for the Liquidators to file an opposition brief to its PJ Motion from March 31, 2023 to May 12, 2023;

WHEREAS, there is good cause to extend the case schedule accordingly;

IT IS NOW, THEREFORE, HEREBY ORDERED, that:

1. The Liquidators shall file their opposition to BGL BNP's PJ Motion by May 12, 2023, with 30 days' notice to BGL BNP (or consent to a shorter notice period) should Liquidators choose to file their opposition to BGL BNP's PJ Motion prior to May 12, 2023;

2. BGL BNP shall file its reply in further support of its PJ Motion within 90 days of service of an opposition with respect to its PJ Motion, provided that upon agreement between the Liquidators and BGL BNP, a reply may be filed at a later date not to exceed 90 days after the May 12, 2023 deadline for the Liquidators' opposition briefs;

3. The Court shall hear argument with respect to BGL BNP's PJ Motion at the next omnibus conference that is at least 30 days after service of a reply in further support of such PJ Motion; and

4. To the extent not modified herein, the provisions of the September 28, 2021 scheduling order regarding the PJ Motions, the provisions of the October 25, 2021 scheduling order

following the parties' Rule 26(f) conference, and all other provisions of the July 27, 2022 Second Amended Scheduling Order remain in full force and effect.

**Dated: March 31, 2023
Poughkeepsie, New York**



/s/ Cecelia G. Morris

**Hon. Cecelia G. Morris
U.S. Bankruptcy Judge**